

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

James Arnett,	)	No. CV-12-0311-TUC-DCB-DTF
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Benjamin Snow Howard, et al.,	)	
	)	
Defendants.	)	
	)	

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Pursuant to an order of the Court (Doc. 10), on July 16, 2012, the United States Marshal sent Defendant Benjamin Howard a request to waive service by certified mail (Doc. 17). Defendant did not return the request for waiver. Therefore, pursuant to the Court's order, the United States Marshal completed personal service on him on September 6, 2012. (Docs. 10, 17.) The cost to the Marshal's Service for personal service on Defendant Howard was \$98.75. (Doc. 17.) The mailed request for waiver included a copy of the Court's service order, in which Defendant was notified that he would be charged the cost of personal service. (Doc. 10.) Federal Rule of Civil Procedure 4(d)(2) provides that, if a defendant fails to waive service, without good cause, the Court must impose the cost of service upon the defendant. On September 26, 2012, the Court ordered Defendant Howard to show if there was good cause why he should not be charged the cost of personal service. He did not file a response to that order.

Accordingly,

1           **IT IS ORDERED** that Defendant Benjamin Howard shall pay \$98.75 to the United  
2 States Marshal on or before **Monday, December 3, 2012**. Defendant Howard may pay by  
3 check or money order made payable to the United States Marshal Service. The check or  
4 money order shall be delivered to the Clerk of the Court who will forward it to the Marshal  
5 Service.

6           DATED this 2nd day of November, 2012.

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A handwritten signature in black ink, appearing to read "D. Thomas Ferraro", is written over a horizontal line.

D. Thomas Ferraro  
United States Magistrate Judge